

NOTICES OF RULEMAKING DOCKET OPENINGS

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

NOTICE OF RULEMAKING DOCKET OPENING

BOARD OF CHIROPRACTIC EXAMINERS

1. **Title and its heading:** 4, Professions and Occupations
Chapter and its heading: 7, Board of Chiropractic Examiners
Articles and their headings: 1, Board of Chiropractic Examiners
5, Licenses
8, Continuing Education
9, Unprofessional Conduct
Section numbers: R4-7-101, R4-7-502 through R4-7-505, R4-7-801 through R4-7-803, and R4-7-902
2. **Subject matter of the proposed rules:**
In Article 1, the Board will expand on definitions. In Article 5, the Board will adopt an overall time frame during which the license or certification applied for will either be granted or denied. In Article 8, the Board will adopt new rules that establish the procedures by which the Board will enforce compliance with the continuing education requirement. In Article 9, the Board will review the existing rule and add language further defining the term "unprofessional conduct."
3. **A citation to all published notices relating to the proceeding:**
Notice of Rulemaking Docket Opening:
2 A.A.R. 3801, August 30, 1996
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Patrice A. Pritzl, Executive Director
Address: Board of Chiropractic Examiners
5060 North 19th Avenue, Suite 416
Phoenix, Arizona 85015
Telephone: (602) 255-1444
Fax: (602) 255-4289
5. **The time during which written submissions may be made and the time and place where oral comments may be made:**
The Board will accept written comments between 8 a.m. and 5 p.m. Monday through Friday. The Board will schedule a public hearing at a later date.
6. **A timetable for agency decisions or other action in the proceeding:**
None.

NOTICE OF RULEMAKING DOCKET OPENING

DEPARTMENT OF ECONOMIC SECURITY

1. **Title and its heading:** 6, Economic Security
Chapter and its heading: 6, Department of Economic Security - Developmental Disabilities
Articles and their headings: 10, Child Developmental Foster Home Licensure
11, Adult Developmental Home License
15, Standards for Certification of Home and Community-based Service (HCBS) Providers
Section numbers: R6-6-1004.01, R6-6-1104.01, and R6-6-1504.01
2. **Subject matter of the proposed rules:**
Laws 1996, Ch. 102, § 42, requires that all state agencies which issue licenses have in place rules establishing certain time frames for the granting or denial of each license. The rules must specify:
 1. An "administrative completeness time frame" (the time it takes the agency to determine if an application is complete);
 2. A "substantive review time frame" (the time it takes the agency to review the application and determine if the applicant meets the substantive criteria for licensure); and
 3. An "overall time frame" (a combination of the administrative completeness and substantive review time frames).

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"License" includes certifications and approvals issued by an agency.

The law also requires an agency to adopt rules to specify separate time frames for administrative completeness and substantive review if the agency already has time frames for licensing, but the time frames do not mirror the requirements of the law.

In addition, the agency is required to notify applicants within the established time frames, whether the application is complete (administrative completeness) and whether a license or certification is being issued (substantive review).

These rules will establish the required time frames for licensing Child Development Foster Homes and Adult Developmental Homes, and certification of Home and Community-based Service Providers. The rules will describe a completed application and the activities performed under substantive review. The rules also prescribe the notification procedure for the administrative review time frames and the Division's requirement to notify an applicant when a license is denied of the following:

1. The reason for the denial with citation to supporting statutes or rules;
 2. The applicant's right to appeal the denial; and
 3. The time periods for appeal the denial.
3. **A citation to all published notices relating to the proceeding:**
None published.
4. **Name and address of agency personnel with whom persons may communicate regarding the rule:**
Name: Vista Thompson Brown
Address: Department of Economic Security
1789 West Jefferson, Site Code 837A
Phoenix, Arizona 85007
or
P.O. Box 6123, Site Code 837A
Phoenix, Arizona 85005
Telephone: (602) 542-6555
Fax: (602) 542-6000
5. **The time during which written submissions may be made and the time and place where oral comments may be made:**
During regular business hours, from the present until the close of record, at the place designated above. No date has yet been selected for the close of record and no oral proceedings have yet been scheduled.
6. **A timetable for agency decisions or other action in the proceeding:**
The Department is in the preliminary drafting stages and does not expect to have draft rules until approximately February 1997. The Department must have final rules in effect by December 31, 1998.